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WELLS FARGO BANK, N.A., WELLS FARGO & CO. AND
PAM RUBIO

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

YESENIA GUITRON; and JUDI KLOSEK,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.; WELLS
FARGO & CO.; PAM RUBIO; and DOES 1-
20,

Defendants.

CASE NO. CIV-10-03461 CW (MEJ)

**PARTIES' STIPULATION AND
ORDER TO EXTEND FACT
DISCOVERY AND DISPOSITIVE
MOTION CUT-OFF DATES AND THE
TIME TO COMPLETE ADR**

STIPULATION AND ~~PROPOSED~~ ORDER TO EXTEND FACT DISCOVERY AND MOTION CUT-OFF DATES AND THE
TIME TO COMPLETE ADR

1 Plaintiffs YESENIA GUITRON and JUDI KLOSEK and Defendants WELLS FARGO
2 BANK, N.A., WELLS FARGO & CO. and PAM RUBIO (collectively, "Defendants") stipulate,
3 as follows:

4 WHEREAS, disputes have arisen between the parties relating to various discovery issues
5 that have delayed the completion of the parties' noticed depositions;

6 WHEREAS, in an effort to resolve the parties' disputes, the parties have met and
7 conferred in person and in writing, and have reached sufficient resolution to the disputes such
8 that the depositions can now go forward;

9 WHEREAS, the parties still have to complete at least fifteen days of deposition;

10 WHEREAS, the fact discovery cut-off date in this action currently is August 5, 2011 and
11 the motion cut-off date is October 13, 2011;

12 WHEREAS, the parties need an additional 60 days to complete their depositions and all
13 fact discovery;

14 WHEREAS, the parties intend to participate in mediation in good faith pursuant to the
15 Court's January 18, 2011 Case Management Conference Order;

16 WHEREAS, the parties had agreed to mediate this case with the Court-appointed
17 mediator, G. Scott Emblidge, on June 21, 2011.

18 WHEREAS, the parties believe that mediation will only be successful after substantive
19 discovery has been conducted in this case;

20 WHEREAS, the parties have been meeting and conferring regarding several discovery
21 disputes that have delayed the completion of the discovery the parties believe is necessary to
22 engage in a successful mediation;

23 WHEREAS, the parties have contacted Mr. Emblidge to schedule an alternative, later
24 date for the mediation before September 30, 2011;

25 THEREFORE, the parties stipulate and ask the Court to grant a 60-day extension of the
26 fact discovery and motion cut-off dates, as well as an extension to September 30, 2011, of the
27 date by which the parties must comply with the court-appointed mediation.

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STIPULATION AND ~~PROPOSED~~ ORDER TO EXTEND FACT DISCOVERY AND MOTION CUT-OFF DATES AND THE
TIME TO COMPLETE ADR

1 IT IS SO STIPULATED THROUGH COUNSEL OF RECORD:
2

3 Dated: July 1, 2011
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ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP

5 By: (-) Alexander Nestor
6 ALEXANDER NESTOR
7 Attorneys for Defendants WELLS
8 FARGO BANK, N.A., WELLS FARGO
9 & CO. AND PAM RUBIO

10 Dated: July 1, 2011
11

PERETZ & ASSOCIATES

12 By: (-) Yosef Peretz
13 YOSEF PERETZ
14 Attorneys for Plaintiffs YESENIA
15 GUITRON and JUDI KLOSEK
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ORDER

Pursuant to the parties' Stipulation, and Good Cause appearing therefor, the Court hereby orders as follows:

- 1) The fact discovery cut-off date is continued from August 5, 2011, to October 5, 2011;
- 2) The motion cut-off date **and further case management conference** are continued from October 13, 2011, to December **15**, 2011; and
- 3) The date by which the parties must complete their ADR session is continued from July 1, 2011, to September 30, 2011.

IT IS SO ORDERED. **This delay may lead to a delay of the pretrial and trial dates.**

Dated: July 8, 2011

By 
THE HON. CLAUDIA WILKEN
U.S. DISTRICT JUDGE